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8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN CALIFORNIA OF CALIFORNIA**

10 NIKKI POOSHS,

11 Plaintiff,

12 vs.

13 PHILIP MORRIS USA, INC., et al.,

14 Defendants.

15 ) Case No. 4:04-cv-01221-PJH

16 ) **STIPULATION FOR DISMISSAL  
17 ) OF DEFENDANT LORILLARD, INC.,  
18 ) WITH PREJUDICE; ORDER**

19 ) **[FRCP 41(a)]**

20 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, IT IS HEREBY  
21 STIPULATED by the affected parties, Plaintiff and Defendant, that all claims against  
22 Defendant LORILLARD, INC. shall be, and hereby are, dismissed with prejudice. Each party  
23 to bear its own fees and costs.

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1 Dated: May 31, 2012

BRAYTON PURCELL LLP



By:

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8 Dated: May 31, 2012

DLA PIPER US LLP (US)



By:

Brian A. Foster  
Attorneys for Defendant  
LORILLARD, INC.

14 PURSUANT TO STIPULATION, IT IS SO ORDERED. All claims against  
15 Defendant LORILLARD, INC. are hereby dismissed with prejudice, each party to bear its own  
16 fees and costs, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

19 June 14  
Dated: May       , 2012

20 By: \_\_\_\_\_



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